

REMARKS

Claims 1-34 are pending. Claims 35-49 are canceled.

Claims 2, 4, 5, 6, 9, 13, 19, 20, and 32 are amended to add a period at the end of each claim.

Claims 8, 15, 16, 21, 22, 23, 24, 33, and 34 are amended according to US practice for claim dependency.

Claim 23 is amended to reword “use of” according to US practice.

Claims 2, 27, 28, and 30 are amended to correct a typographical error in the chemical structures where the wedge stereobonds appear to have lost their black color in submission of papers to the USPTO or in scanning of papers by the USPTO. Support for the correct structures can be found in the papers as originally filed, for example in the corresponding claims of the international application as published as WO 2004/011458. A copy of WO 2004/011458 was submitted to the USPTO at time of entry of the national phase.

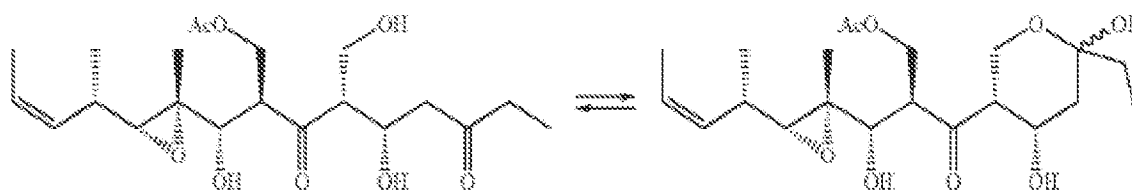
Support for the amendments can be found in the specification and claims as originally filed. No new matter is entered.

Response to Restriction Requirement

In response to the restriction requirement, Applicants elect Group I (claims 1-22) with traverse.

In response to the requirement to select a single compound as an election of species requirement, Applicants select compound 47 disclosed at Example 92 in the specification

and in claim 9:



Claims 1, 2, 3, 4, 5, 8, 9, 10, 11, and 22 are generic for the selected compound. Applicants request confirmation that with respect to the election of species requirement, following examination of the selected species, Applicants are entitled to examination of the entire scope of Group I (claims 1-22).

The traversal of the restriction requirement is on the basis that Group II represents hemiketal isomers of the ketone compounds of Group I (when R'' is CH₂OH). As such, the ketone/hemiketal isomers co-exist in an equilibrium mixture as claimed in claims 3-6 and 9. Therefore, Applicants believe there is no serious burden to the Examiner in searching both Groups I and II. According to the MPEP,

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

See MPEP 803. Even assuming that Groups I and II are independent or distinct inventions, Applicants believe that the Examiner must examine them on the merits because examination can be made without serious burden, as directed by the MPEP.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **50-3732**, Order No.

13566.105013. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **50-3732**, Order No. 13566.105013.

Respectfully submitted,
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Dated: November 13, 2007

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